

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RESPICARE PROFESSIONAL SERVICES, CSP

DEBTOR

CASE NUMBER: 11-00022 ESL

CHAPTER 11

APPLICATION FOR APPROVAL OF EMPLOYMENT OF ATTORNEYS

TO THE HONORABLE COURT:

Now comes Respicare Professional Services, CSP., debtor in possession herein, represented by its president, Mr. Oscar A. Pabón Rodríguez, who respectfully States and Prays as follows:

1. The debtor filed a petition under Chapter 11 of the Bankruptcy Code on January 4, 2011.

2. Section 327(a) of the Bankruptcy Code provides as follows:

"§ 327. Employment of Professional Persons.

(a) Except as otherwise provided in this section, the trustee, with the court's approval, may employ one or more attorneys, accountants, appraisers, auctioneers, or other professional persons, that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title."

3. The debtor desires to retain the professional services of attorneys Teresa M. Lube Capó, Esq. and Madeline Soto Pacheco, Esq. of Lube & Soto Law Offices, PSC, duly admitted to practice in this Court.

4. The selection of the attorneys is based on their experience before this Honorable Bankruptcy Court, and their expertise in Bankruptcy Law and other areas of law that will be of benefit to the estate.

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5. Lube & Soto Law Offices' address is the following:

1130 F.D. ROOSEVELT AVENUE
SAN JUAN, PUERTO RICO 00920-2906

6. To the best of our knowledge and belief, Teresa M. Lube Capó, Esq., and Madeline Soto Pacheco, Esq., and staff of their law firm, are "disinterested persons", as said term is defined in 11 USC 101(14), which definition is incorporated herein by reference; do not represent any creditor in this case or any interested party herein, nor any one acting on their behalf, whose interest may be adverse to debtor's estate; they have no connection with debtor, nor with their respective attorneys and accountants, nor with the US Trustee, or any person employed in any capacity with the office of the US Trustee in any office in or outside the continental United States, and furthermore, represent no adverse interest to the estate herein. Moreover, none of the attorneys in the firm have acted as an investment banker or represented an investment banker with respect to the sale of security of the debtor or under any other circumstances.

7. In compliance with 11 USC §327 and §504 of the Bankruptcy Code, a certificate executed by both Teresa M. Lube Capó, Esq., and Madeline Soto Pacheco, Esq., is attached to this application, along with a curriculum vitae of each of the applicants as required by LBR 2014-1.

8. If the appointment of Teresa M. Lube Capó, Esq., and Madeline Soto Pacheco, Esq., of Lube & Soto Law Offices, is approved by this Honorable Court, the fees to be paid are as follows: \$225.00, per hour, for the services rendered by either Ms. Lube or Ms. Soto, \$45.00 per hour for paralegal services, plus reimbursement of expenses. Payment of fees shall be made only upon application to and approval by this Honorable Court as provided by Section 331 of the Bankruptcy Code.

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9. The amount of \$5,000.00 has been paid to the Law Firm of Lube & Soto Law Offices, PSC, as a retainer requested towards work to be performed, the amount of \$1,039.00 has been paid separately to the attorneys to pay the required chapter 11 filing fee which was paid online, these amounts have been paid to the attorneys as follows, \$3,600.00 from Oscar A. Pabón Rodríguez, and \$2,439.00 from the corporation.

WHEREBY, based on the foregoing, debtor respectfully requests that it be granted leave to retain the professional services of Ms. Teresa M. Lube Capó, Esq., and Ms. Madeline Soto Pacheco, Esq. of Lube & Soto Law Offices, P.S.C..

RESPECTFULLY SUBMITTED on this January 17, 2011.

s/ Oscar A. Pabón Rodríguez
RESPICARE PROFESSIONAL SERVICES, PSC
By its president, Oscar A. Pabón Rodríguez

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RESPICARE PROFESSIONAL SERVICES, CSP

DEBTOR

CASE NUMBER: 11-00022 ESL

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VERIFIED STATEMENT

We, TERESA M. LUBE CAPO, ESQ, AND MADELINE SOTO PACHECO, ESQ., do hereby certify under penalty of perjury that the following is true and correct.

1. We are attorneys at law, admitted to practice before the Courts of the Commonwealth of Puerto Rico, before the United States District Court for the District of Puerto Rico and before the United States Court of Appeals for the First Circuit.

2. The undersigned are partners of Lube & Soto Law Offices and our main offices are located at 1130 Franklin D. Roosevelt Avenue, San Juan, Puerto Rico 00920-2906, with telephones 787.722.0909; 787.294.5120, 787.294.5122 and fax 787.977.1709.

3. To the best of our knowledge and belief, the undersigned, as well as all persons in our law firm, including attorneys and support staff, are "disinterested persons", as said term is defined in 11 USC §101(14), which definition is incorporated herein by reference, and none of these persons represent any creditor in this case, nor any interested party herein, nor anyone acting on their behalf, whose interest may be adverse to the debtor's estate; they have no connection with the debtor, nor with their respective attorneys and accountants, nor with the US Trustee, or any person employed in any capacity with the office of the US Trustee in any office in or outside the continental United States.

4. No member of the firm, or the firm as such, represents an adverse interest to the estate herein. None has ever acted as an investment banker in any capacity.

5. The firm has agreed to represent the Debtor in this case on an hourly basis at the rate of \$225.00 per hour for either of the undersigned, \$45.00 per hour for paralegal services, plus reimbursement of expenses. Payment of said fees shall be made only upon application to and approval by this Honorable Court, as provided by the Bankruptcy Code.

6. The undersigned have received the amount of \$5,000.00 as a retainer, which amount, was paid in part by Mr. Oscar A. Pabón Rodríguez on behalf of Debtor (\$3,600.00), and in part by the Corporation (\$1,400.00) which amounts will be applied to work performed and to be performed in this case. The amount of \$1,039.00 was paid by the corporation to reimburse the firm for the payment of the filing fees online.

7. There are no agreements on the part of the undersigned attorneys for the sharing of any of the compensation to be received for the services to be rendered to the Debtor except with other members of this same firm.

8. We will amend this statement immediately upon our learning that: (a) any of the representations made herein are incorrect, or (b) there is any change of circumstances relating thereto.

9. We have reviewed the provisions of LBR 2016-1.

In San Juan, Puerto Rico, on this January 17, 2011.

s/ Teresa M. Lube Capó
TERESA M. LUBE CAPO, ESQ.
USDC 122205

s/ Madeline Soto Pacheco
MADELINE SOTO PACHECO, ESQ.
USDC 207910

TERESA M. LUBE CAPO

702 Union St., Apt. G-1 Condominio Unimar • San Juan, PR 00917 • (787)722-0909 Fax:(787)977-1709 Mobile: (787)360-2026

CURRICULUM VITAE

EXPERIENCE

PARTNER	2000-PRESENT
<i>Lube & Soto Law Offices, P.S.C.</i>	<i>San Juan, Puerto Rico</i>

Private practice limited to bankruptcy matters. Have represented both debtors and creditors in all chapters of the Bankruptcy Code, diverse bankruptcy litigation, and appeal practice.

STAFF ATTORNEY	1992-2000
<i>Standing chapter 13 & 12 Trustee</i>	<i>San Juan, Puerto Rico</i>

Representation of the Trustee before the Court in all matters related to Chapter 13 and Chapter 12 Bankruptcy Cases; involvement in all legal and administrative aspects of case administration and office management, with an active caseload exceeding 60,000 cases. Coordination of efficient case management with officers of the Court.

SELF EMPLOYED ATTORNEY	1980-1992
<i>Teresa M. Lube Capo Law Offices</i>	<i>San Juan, Puerto Rico</i>

Private Law practice principally involving. contracts, mortgages, real estate, family, torts and insurance, estates and inheritance, bankruptcy, and administrative matters.

LEGAL ADVISOR	1977-1980
<i>Office of Courts Administration</i>	<i>San Juan, Puerto Rico</i>

Handled State and Federal Civil Litigation, administrative opinions, drafting and lobbying for Courts Administration legislation proposals, investigations, administrative hearings, and participated in various joint committees for the administration of justice

EDUCATION

JURIS DOCTOR	1973-1976
<i>University of Puerto Rico Law School</i>	<i>San Juan, Puerto Rico</i>

BACHELOR IN BUSINESS ADMINISTRATION- MAJOR IN FINANCE	1968-1972
<i>University of Puerto Rico, School of Business Administration</i>	<i>San Juan, Puerto Rico</i>

Magna Cum Laude. Was conferred the Most Distinguished Student Award by the Department of Finance in the 1972 commencement exercises.

ACCREDITATIONS

Admitted to practice before the Supreme court of Puerto Rico and all other Commonwealth Courts, before the United States District Court for the District of Puerto Rico, and the United States court of Appeals for the First Circuit.

MEMBERSHIPS

Puerto Rico Bar Association, Puerto Rico Bankruptcy Bar Association.

SEMINARS

Program of Instruction for Lawyers, Harvard Law School, Boston, Massachusetts, July, 1977.

Annual conference, National Reciprocal and Family Enforcement Association, San Antonio, Texas, October, 1978.

Civil Practice and Litigation in the Federal Courts, ALI/ABA, Caribe Hilton Hotel, San Juan, Puerto Rico. November, 1979.

Estate Planning, Puerto Rico Bar Association, Colegio de Abogados, San Juan, Puerto Rico. April, 1980.

Bankruptcy Seminar sponsored by the Puerto Rico Chamber of Commerce. November, 1981.

Bankruptcy Seminar sponsored by the Puerto Rico Bankruptcy Bar and U.S. Trustee, Puerto Rico Bankruptcy Court, September, 1982.

Bankruptcy Seminar sponsored by the Puerto Rico Bar Association and Pro Bono, Colegio de Abogados, San Juan, Puerto Rico, March, 1985.

National Business Institute Bankruptcy Litigation & Practice, Caribe Hilton Hotel, San Juan, Puerto Rico, 1986.

Forms Generator Workshop, sponsored by Data Concepts Systems, Memphis, Tennessee, January, 1993.

Recent Developments in Bankruptcy Seminar, sponsored by the Puerto Rico Bankruptcy Bar Association, San Juan Hotel, February, 1993.

28th Annual Conference, National Association of Chapter 13 Trustees, Asheville, North Carolina, August, 1993.

Consumer Bankruptcy Seminar, sponsored by the Puerto Rico Bankruptcy Bar Association, San Juan, Puerto Rico, March, 1994.

29th Annual Conference, National Association of Chapter 13 Trustees, Albuquerque, New Mexico, July, 1994.

Introduction to Chapter 11 Bankruptcy Seminar, sponsored by the Puerto Rico Bankruptcy Bar Association, San Juan, Puerto Rico, September, 1994.

Recent Developments in Bankruptcy Seminar, sponsored by the Puerto Rico Bankruptcy Bar Association, San Juan, Puerto Rico, March, 1995

11th Annual Data Concepts Seminar, sponsored by Data concepts Systems, Dearborn, Michigan, April, 1995.

30th Annual Conference, National Association of Chapter 13 Trustees, Boston, Massachusetts, July, 1995.

Recent Developments in Bankruptcy Seminar, sponsored by the Puerto Rico Bankruptcy Bar Association, San Juan, Puerto Rico, February, 1996.

31th Annual Conference, National Association of Chapter 13 Trustees, San Francisco, California, July, 1996.

Bankruptcy Workshop, sponsored by Interamerican University and Puerto Rico Bankruptcy Bar Association, October ,1997. (Panelist)

Advanced Bankruptcy Seminar, sponsored by the Puerto Rico Bankruptcy Bar Association, San Juan, Puerto Rico, February, 1998.

33rd Annual Conference, National Association of Chapter 13 Trustees, Portland, Oregon, July, 1998. (Panelist)

8th Annual Convention N.A.C.B.A ., San Antonio, Texas, April, 2000.

37th Annual Conference, National Association of Chapter 13 Trustees, Fajardo, Puerto Rico, July, 2002.

Recent Developments in Chapter 13, P.R.B.B.A., Inc., San Juan, Puerto Rico, February 27,2004.

12th Annual Convention N.A.C.B.A ., Boston, Massachussetts, April, 2004.

Introduction to Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

Bankruptcy Abuse Prevention and Consumer Protection Act (from the debtor's perspective) P.R.B.B.A.,Inc., Isla Verde Puerto Rico, October 13- 14,2005.

13th Annual Convention N.A.C.B.A., San Diego, California, April 29-May 1,2005.

Fighting back: Helping debtors survive the new Bankruptcy Law, N.A.C.B.A, Chicago, Illinois, July 29-30, 2005.

MADELINE SOTO PACHECO

Attorney At Law
Cond. Unimar, G-1
Unión St. 702
Miramar, PR 00907

CURRICULUM VITAE

EDUCATION

CATHOLIC UNIVERSITY OF PUERTO RICO, Ponce P.R. 1990
Juris Doctoratus, Magna Cum Laude

INTERAMERICAN UNIVERSITY OF PUERTO RICO 1986
Ponce and San German, PR
Bachelors Degree, Magna Cum Laude

EXPERIENCE

PARTNER OF LUBE & SOTO LAW OFFICE, P.S.C. 2000 to the present
Private practice specializing on Bankruptcy Law, mainly in the representation of debtors in Chapter 7, 11 and 13 petitions. Vast experience in the solution of the legal issues involved in bankruptcy cases.

ISLAND FINANCE PUERTO RICO, INC 1986-2000
Senior Legal Counsel- Legal advisor to the company on corporate matters, labor issues, mortgage and small loans business, insurance matters and company policies' compliance, international operations and labor law in jurisdictions such as Aruba, N.A., Argentina and Panama, among others . Supervision of legal department's operation and personnel composed of twenty-two employees, including five lawyers.

Bankruptcy Staff Attorney- Legal representation before the Bankruptcy Court on behalf of creditor. Supervision of the operation of the bankruptcy unit of the company.

Staff Attorney- Legal advisor to the company and represented it before the local courts in the collection of money and other civil matters.

Assistant Department Manager- In charge of the collection department of a branch office at Ponce.

SEMINARS

Introduction to Bankruptcy Abuse Prevention and Consumer Protection Act of 2005
Bankruptcy Abuse Prevention and Consumer Protection Act (from the debtor's perspective)
P.R.B.B.A., Inc.-
Isla Verde Puerto Rico (October 13- 14, 2005)

Fighting back: Helping debtors survive the new Bankruptcy Law
N.A.C.B.A.
Chicago, Illinois (July 29-30, 2005)

13th Annual Convention N.A.C.B.A.
San Diego, California (April 29-May 1, 2005)

Recent Developments in Chapter 13
P.R.B.B.A., Inc.
San Juan, Puerto Rico (February 27, 2004)

National Association of Chapter 13
Seminars (1993 to 1996 and 2001 to 2003)